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**FILED**

**FEB 16 2011**

**SECRETARY, BOARD OF  
OIL, GAS & MINING**

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**BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH**

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<b>IN THE MATTER OF THE REQUEST</b>	<b>:</b>	<b>EXHIBIT LIST</b>
<b>FOR AGENCY ACTION OF LIVING</b>	<b>:</b>	
<b>RIVERS TO APPEAL THE DECISION</b>	<b>:</b>	
<b>BY THE DIVISION OF OIL, GAS AND</b>	<b>:</b>	
<b>MINING TO APPROVE THE</b>	<b>:</b>	
<b>APPLICATION OF EARTH ENERGY</b>	<b>:</b>	
<b>RESOURCES TO CONDUCT TAR</b>	<b>:</b>	<b>Docket No. 2010-027</b>
<b>SANDS MINING AND RECLAMATION:</b>	<b>:</b>	
<b>OPERATIONS AT THE PR SPRINGS</b>	<b>:</b>	<b>Cause No. M/047/0090 A</b>
<b>MINE</b>	<b>:</b>	

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Living Rivers, by and through its attorneys, hereby files the following list of exhibits to be submitted by Living Rivers in the above matter.

- HYDROLOGIC RECONNAISSANCE OF THE SOUTHERN UINTA BASIN, UTAH AND COLORADO, Utah Department of Natural Resources, Price & Miller (1975)
- UTAH'S 2006 INTEGRATED REPORT, VOLUME II – 303(D) LIST OF IMPAIRED WATERS, Utah Department of Water Quality (2006)
- THE PRACTICAL GUIDE TO RECLAMATION IN UTAH, Utah Division of Oil, Gas and Mining
- PREPARED DIRECT TESTIMONY OF ELLIOTT W. LIPS, January 7, 2011
- PREPARED SUPPLEMENTAL TESTIMONY OF ELLIOTT W. LIPS, February 14, 2011
- PREPARED DIRECT TESTIMONY OF CHARLES H. NORRIS, January 7, 2011
- PREPARED SUPPLEMENTAL TESTIMONY OF CHARLES H. NORRIS, February 14, 2011
- RECORD OF DEPOSITION OF THE DIVISION OF OIL, GAS & MINING, February 2, 2011 (and attached exhibits)
- RECORD OF DEPOSITION OF THE ROB HERBERT, February 16, 2011 (and attached exhibits)
- Analyses Reports by American Western Analytical Laboratories (AWAL) to EER for samples from Asphalt Ridge, with related email traffic. (20070824 AWAL to EER).
- Email from Machlis to Dubuc (20110104 email)
- DEVELOPMENTS IN LEACH TESTING, Helms and Thorneloe (2006)
- TCLP CONSULTATION SUMMARY, Dzombak, Science Advisory Board of USEPA (2003)
- CHARACTERIZATION OF CCR ..., EPA/600/R-08-77, Sanchez, Kosson, et al. (2008)

- CHARACTERIZATION OF CCR ..., EPA/600/R-09-151, Kosson, Sanchez, et al. (2009)
- BACKGROUND DISCUSSION FOR SAB CONSULTATION ON LEACH TESTING, Helms (2003)
- SUMMARY OF ORD RESEARCH PLAN ON THE LEACHING OF METALS FROM ..., Al-Abed, EPA Office of Research and Development (2003)
- ROADMAP FOR CURRENT AND LONG-TERM RESEARCH ON WASTE LEACHING, Al-Abed, USEPA Office of Research and Development
- IMPROVED LEACHING TEST METHODS ..., PROCEEDINGS, Thorneloe, Kosson, et al. (2009)
- AN INTEGRATED FRAMEWORK FOR EVALUATING LEACHING IN WASTE ..., EPA-HQ-RCRA-2009-0640-0060, Kosson, van der Sloot, et al. (2002)
- APPLICATION OF LEACHING PROTOCOL TO ..., Thorneloe, US EPA Office of Research and Development (2003)
- Internet References
  - o <http://www.earthenergyresources.com/technology.htm>
  - o <http://www.earthenergyresources.com/faq.htm>
  - o [http://www.earthenergyresources.com/current\\_news\\_28.htm](http://www.earthenergyresources.com/current_news_28.htm)
  - o <http://www.allbusiness.com/business-planning-structures/starting-a-business/1132222-1.html>
  - o [http://repository.icse.utah.edu/dspace/bitstream/123456789/5230/1/Snarr\\_OilSands\\_09.pdf](http://repository.icse.utah.edu/dspace/bitstream/123456789/5230/1/Snarr_OilSands_09.pdf)
  - o <http://www.canadianminingjournal.com/issues/story.aspx?aid=1000386577>
  - o <http://www2.macleans.ca/2010/06/24/another-alberta-apocalypse/>
  - o <http://www.globe-net.com/articles/2010/september/15/canadian-energy-start-up-at-centre-of-us-oil-sands-fight.aspx?sub=15>
  - o <http://www.peteducation.com/article.cfm?c=2&aid=2281>
  - o <http://en.wikipedia.org/wiki/Limonene#Safety>
- GROUNDWATER, Freeze and Cherry
- ENVIRONMENTAL GEOCHEMISTRY, Langmuir
- GEOCHEMICAL REACTION MODELING, Bethke
- MSDS for Linalool (CAS # 78-70-6), updated 2008;  
<http://fscimage.fishersci.com/msds/21702.htm>
- NIH HSDB for Linalool (CAS # 78-70-6); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+78-70-6>
- MSDS for Myrcene (CAS # 123-35-3), updated 2008;  
<https://fscimage.fishersci.com/msds/35725.htm>
- NIH HSDB for Myrcene (CAS # 123-35-3); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+123-35-3>
- MSDS for alpha-Pinene (CAS # 80-56-8), revised 2005;  
<https://fscimage.fishersci.com/msds/18175.htm>
- MSDS for alpha-Pinene (CAS # 80-56-8), revised 2010;  
[http://www.sciencelab.com/xMSDS-Alpha\\_Pinene-9926571](http://www.sciencelab.com/xMSDS-Alpha_Pinene-9926571)
- NIH HSDB for alpha-Pinene (CAS # 80-56-8); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+80-56-8>
- MSDS for d-Limonene (CAS # 5989-27-5), revised 2007;  
<http://www.hvchemical.com/msds/dlimo.htm>
- MSDS for d-Limonene (CAS # 5989-27-5), revised 2006;  
<http://services.georgiasouthern.edu/ess/msds/d-Limonene.htm>
- MSDS for d-Limonene (CAS # 5989-27-5), undated, after 1998;  
<http://www.chemcas.com/msds/cas/msds45/5989-27-5.asp>

- NIH HSDB for d-Limonene (CAS # 5989-27-5); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+5989-27-5>
- USEPA IRIS for d-Limonene (CAS # 5989-27-5), 2002; <http://www.epa.gov/IRIS/subst/0682.htm>
- MSDS for beta-Pinene (CAS # 18172-67-3), undated; <http://services.georgiasouthern.edu/ess/msds/Beta-Pinene.pdf>
- MSDS for beta-Pinene (CAS # 18172-67-3), 2008; <https://fscimage.fishersci.com/msds/61288.htm>
- NIH HSDB for alpha-Pinene (CAS # 127-91-3); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/f?./temp/~Og1ist:1>
- MSDS for Octanal (CAS # 124-13-0), 2010; <http://www.sciencelab.com/msds.php?msdsId=9926308>
- NIH HSDB for Octanal (CAS # 124-13-0); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+124-13-0>
- MSDS for Decanal (CAS # 112-31-2), 2009; <http://www.thegoodscentcompany.com/msds/md101370.html>
- NIH HSDB for Decanal (CAS # 112-31-2); <http://toxnet.nlm.nih.gov/cgi-bin/sis/search/r?dbs+hsdb:@rn+112-31-2>
- MSDS for Orange Terpenes (CAS 8028-48-6), undated, UK; [http://www.chemcas.org/msds\\_archive/msds\\_01/cas/gb\\_msds/8028-48-6\\_v1.asp](http://www.chemcas.org/msds_archive/msds_01/cas/gb_msds/8028-48-6_v1.asp)

Dated: February 16, 2011.



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## CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of February, 2011, I served a true and correct copy of this prepared direct testimony of Elliott W. Lips to each of the following persons via email:

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